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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

APPLICANTS: Rothberg et al.

SERIAL NUMBER: 10/788,529

EXAMINER: Not Yet Assigned

FILING DATE: February 26, 2004

ART UNIT: 1645

FOR: *Method of Sequencing a Nucleic Acid*

MAIL STOP AMENDMENT

Commissioner for Patents

P.O. Box 1450

Alexandria, VA 22313-1450

TRANSMITTAL LETTER

Transmitted herewith for filing in the present application are the following documents:

1. Information Disclosure Statement (2 pages), in duplicate;
2. Modified Form 1449/PTO (10 pages), in duplicate;
3. Cited References B18-B89 and C67-C72; and
4. Return Postcard.

If the enclosed papers are considered incomplete, the Mail Room and/or the Application Branch is respectfully requested to contact the undersigned at (212) 935-3000.

The Commissioner is authorized to charge any fees that may be due to the undersigned's account, Deposit Account No. 50-0311 Ref. No. 21465-501 CIP DIV. Please address all correspondence to customer number 35437. A duplicate copy of this transmittal letter is enclosed herewith.

Respectfully submitted,

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Dated: May 12, 2005

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

APPLICANTS: Rothberg et al.

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INFORMATION DISCLOSURE STATEMENT

Pursuant to the duty of disclosure under 37 C.F.R. §§1.56, 1.97 and 1.98, Applicant hereby makes of record the documents listed on the attached modified Form PTO-1449 (submitted in duplicate) in the above-identified application. Copies of the foreign patent documents and non-patent literature documents are submitted herewith. Copies of the U.S. patents and published applications are not required to be submitted since this application was filed after June 30, 2003 (see MPEP § 609 (III)(A)(2)).

This Information Disclosure Statement is being filed before the mailing date of a first Office Action on the merits for the above-identified application. Accordingly, no fee or certification is believed to be required.

It is respectfully requested that the Examiner consider completely the cited information, along with any other information, in reaching a determination concerning the patentability of the present claims. It is also respectfully requested that the Examiner initial, sign and date, and return a copy of the signed modified Form PTO-1449 with the next U.S. Patent and Trademark Office communication, to evidence that the cited information has been fully considered by the U.S. Patent and Trademark Office during the examination of this application.

By submitting this Information Disclosure Statement, the Applicants make no representation that: (1) a search has been performed, the extent of any search performed, or that more relevant information does not exist; (2) the information cited in the Statement is, or is

considered to be, material to patentability as defined in 37 C.F.R. §1.56(b); and (3) the information cited in the Statement is, or is considered to be, in fact, prior art as defined by 35 U.S.C. §102.

The order of presentation of the references should not be construed as an indication of the importance of the references. The Examiner is urged to form his/her own conclusion regarding the relevance of the cited information.

Please charge any fees that may be due, or credit any overpayment of same, to Deposit Account No. 50-0311, Reference No. 21465-501 CIP DIV.

Respectfully submitted,



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Dated: May 12, 2005

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May 11, 2005



VIA FEDERAL EXPRESS

Ms. Amy Hunt
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1700 Diagonal Road, Suite 450
Arlington, VA 22314

Hand Carry to The United States Patent & Trademark Office
Group Art Unit: 1645; Patent Application No.: 10/788,529;
Filed: March 21, 2001; Title: *Method of Sequencing a Nucleic Acid*
Our Reference No.: 21465-501 CIP DIV

Dear Ms. Hunt:

Would you kindly hand carry the enclosed Information Disclosure Statement, and accompanying documents to the United States Patent & Trademark Office on Thursday, May 12, 2005? The accompanying documents can be found enclosed with this letter, and the cited references are enclosed in two boxes sent under separate cover. Please confirm by telephone that you have done so, and forward your invoice to me at the above New York address for this service.

If you have any questions, please do not hesitate to give me a call at (212) 692-6240.

Best regards,

Caryn DeHoratius

CDH:sbk
Enclosures

Hand Delivery for May 12, 2005

Attorney Docket No.: 21465-501 CIP DIV

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PTO/SB (12-97)

OMB 0651-0031

Patent and Trademark Office: U.S. DEPARTMENT OF COMMERCE

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Modified Form 1449/PTO

**INFORMATION DISCLOSURE
STATEMENT BY APPLICANT**

Application Number	10/788,529
Filing Date	02/26/04
First Named Inventor	Rothberg
Group Art Unit	1645
Examiner Name	Not Yet Assigned
Attorney Docket Number	21465-501 CIP DIV

U.S. PATENT DOCUMENTS

Exam Initials	Cite No.	U.S. Patent Document No.	Issue Date	Name of Patentee(s) or Applicant(s)	Class	Sub Class	Filing Date If Appropriate
	A1	4,811,218	03/07/89	Hunkapiller et al.			
	A2	4,863,849	09/05/89	Melamede			
	A3	5,171,534	12/15/92	Smith et al.			
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Exam Initials	Cite No.	Foreign Patent Document Office Number		Name of Patentee(s) or Applicant(s)	Date of Publication	Translation Yes No	
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	B2*	WO	98/08973	Cancer Research Campaign Tech. Ltd.	03/05/98		
	B3*	WO	98/13523	Pyrosequencing AB	04/02/98		
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	B7*	WO	99/07896	CuraGen Corporation	02/18/99		
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Exam Initials	Cite No.	Foreign Patent Document Office Number		Name of Patentee(s) or Applicant(s)	Date of Publication	Translation Yes	Translation No
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	B13**	WO	97/19193	Yale University	05/29/97		
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	B15**	WO	98/50782	Trustees of Tufts College	11/12/98		
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	B33	WO	99/14228	Affymetrix, Inc.	03/25/99		
	B34	WO	99/18434	Trustees of Tufts College	04/15/99		
	B35	WO	99/39004	Affymetrix, Inc.	08/05/99		
	B36	WO	99/45357	Trustees of Tufts College	09/10/99		
	B37	WO	00/11223	Affymetrix, Inc.	03/02/00		
	B38	WO	00/13004	Trustees of Tufts College	03/09/00		
	B39	WO	00/16101	Trustees of Tufts College	03/23/00		
	B40	WO	00/29832	Tufts University	05/25/00		
	B41	WO	00/60332	Trustees of Tufts College	10/12/00		
	B42	WO	01/12862	Illumina, Inc.	02/22/01		
	B43	WO	01/41918	Illumina, Inc.	06/14/01		
	B44	WO	01/69245	Trustees of Tufts College	09/20/01		
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	B50	WO	89/10977	Isis Innovation Limited	11/16/98		
	B51	WO	98/28440	Pyrosequencing AB	07/02/99		
	B52	WO	99/05315	Medical Biosystems LTD	02/04/99		
	B53	WO	99/60007	Isis Innovation Limited	11/25/99		

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	B54	WO	99/61662	Isis Innovation Limited	12/02/99		
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	B56	WO	99/67641	Illumina, Inc.	12/29/99		
	B57	WO	00/06770	Solexa LTD	02/10/00		
	B58	WO	00/27521	Solexa LTD	05/18/00		
	B59	WO	00/39587	Illumina, Inc.	07/06/00		
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	B61	WO	00/44491	Illumina, Inc.	08/03/00		
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Examiner Signature		Date Considered	
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